IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 674 of 1997

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ARVINDBHAI BECHARBHAI PATEL - Petitioner(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR GM JOSHI for Petitioner(s) : 1,
MR SIRAJ GORI, AGP for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA
Date : 27/04/2006

ORAL JUDGMENT

Last time i.e. On 20.4.2006, when this matter was placed before this Court, a statement was made at the Bar by learned Counsel Shri Joshi for the petitioner that as per the interim order of status-quo passed by the learned Single Judge of this Court the petitioner remained in possession of the land in question. In support of his statement Shri Joshi had also relied on 7/12 document showing that he was in possession of the land and in fact cultivating the said land.

In view of the statement made at the Bar by learned

Counsel Shri Joshi for the petitioner, learned AGP Shri Gori had prayed for time to make a definite statement in the matter and accordingly the matter was kept today, at the joint request of learned Counsel for the parties.

Today, once again, learned Counsel Shri Joshi reiterate that statement and stated at the Bar that the petitioner was and is in possession of the land in question and in fact even as on today he is cultivating the land. Shri Gori for the respondent – State of Gujarat has today received the instruction from Shri Parmar, Deputy Mamlatdar, Urban Land Ceiling Branch, Office of the District Collector, Ahmedabad, that in view of the interim order passed by the learned Single Judge of this Court on this petition the possession of land in question remained with the petitioner.

In view of the above and in view of Section 4 of the Urban Land (Ceiling & Regulation) Repeal Act, 1999, this petition does not survive any more and accordingly it is disposed of. Rule made absolute with no order as to costs.

(B.J.SHETHNA,J.)

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